THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.11583 OF 1997

DATED: 02-04-2007

Between:

S. Vijaya Kumar

.. Petitioner

and

A.P. State Electricity Board represented by its Member S e c r e t a r y , Vidyuth Soudha, Hyderabad and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.11583 OF 1997

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in issuing a Memo dated 11.04.1997 purporting to revert the petitioner from the category of U.D.C. to that of L.D.C., pursuant to the proceedings in B.P. (P&G-Per) Ms.No.217 dated 18.01.1997, as arbitrary and illegal.

It appears, pursuant to the Judgment of the Supreme Court, dated 27.02.1996, in Civil Appeal Nos.180-181 of 1984, the respondent Board has issued proceedings in B.P. (P&G-Per) Ms.No.217 dated 18.01.1997. The exemption from possessing qualifications required to hold the higher post could not have been granted in favour of the petitioner as per the Judgment of the Apex Court. Therefore, to implement the orders passed by the Supreme Court dated 27.02.1996, the exemption granted in favour of the petitioner, from possessing requisite qualifications to hold the post of U.D.C., must be treated as cancelled. As a consequence, the petitioner is liable to be reverted to the lower post.

Under these circumstances, the order passed by the respondents cannot be said to be either arbitrary or illegal. The writ petition is devoid of merits and is liable to be dismissed.

The writ petition is, accordingly, dismissed. No costs.

C.V. RAMULU, J

2nd April, 2007.

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